

**EAST GOSHEN TOWNSHIP  
BOARD OF SUPERVISORS MEETING  
1580 PAOLI PIKE  
TUESDAY, MAY 22, 2018  
FINAL APPROVED MINUTES**

**Present:** Chairman Marty Shane; Vice-Chair Carmen Battavio; David Shuey and Mike Lynch; Township Manager Rick Smith; Assistant Township Manager & Finance Director Jon Altshul; Township Solicitor Jonathan Long and Erich Meyer (Conservancy Board).

**Call to Order & Pledge of Allegiance**

Marty called the meeting to order at 7:00 p.m. and led the pledge of allegiance.

**Moment of Silence**

Carmen called for a moment of silence to honor our troops and the victims of the Houston area school shooting.

**Recording**

Leo Sinclair, 217 Lochwood Lane, recorded the meeting.

**Chairman's Report**

Marty made the following announcements:

- The Board met in Executive Session immediately before tonight's meeting to discuss a personnel matter and a pending legal matter.
- Tonight's meeting will follow an updated format.
- The Federal Energy Regulatory Commission is accepting public comment on Environmental Issues related to the Adelpia Gateway Project until June 1<sup>st</sup>.

**Emergency Services Report—WEGO**

Chief Bernot announced that the Westtown East Goshen Police Department has a new website and Facebook page. She encouraged residents to be vigilant about locking car doors, as spring corresponds with an increase in thefts from vehicles. She also noted that WEGO had received an uptick in calls about unlicensed solicitors. Marty asked staff to post information on the website and Constant Contact about the Township's solicitation ordinance.

**Malvern Fire Company**

Carmen provided the April report from the Malvern Fire Company. There were 26 calls for service in East Goshen in April.

**Good Fellowship Ambulance Company**

Carmen provided the April report from Good Fellowship. There were 54 calls for service in East Goshen in April.

### **April Financial Report**

Jon reported that the General Fund had a positive budget variance of \$61,761 through April. He observed that earlier this month the Refuse Fund received the 2014 and 2015 commercial recycling grants from the state and that the May transfer tax was well over budget due to the same of a commercial property in the corporate park.

### **Approval of Minutes of May 1, 2018 and Treasurer's Report of May 17, 2018**

Carmen made a motion to approve the minutes of May 1, 2018 as corrected and to graciously accept the Treasurer's Report and the Expenditure Register Report as recommended by the Treasurer, to accept the receipts and to authorize payment of the invoices just reviewed. David seconded. The motion passed 4-0.

### **Public Comment**

Joe Buonanno, 1606 Herron Lane, asked which firm the Township awarded the branding contract to. Jon responded that Finch Brands was the winning firm, despite the fact that their proposal was over the Township's budget for the project.

### **Public Hearing on Amendment to the Shooting Ordinance**

The Township held a public hearing on an amendment to the shooting ordinance to allow for shooting when use of force is justified based on the Pennsylvania Crimes Code. Carmen made a motion to adopt the ordinance amending Chapter 232 of the East Goshen Township Code, Titled "Weapons", Section 232-3, Titled "Shooting Prohibited". Mike seconded. The motion passed 4-0.

A court reporter was present and will provide a full transcript of the hearing. A copy of the transcript of the public hearing will be appended to the minutes of this meeting once the decision becomes "final, binding and nonappealable".

### **Consider Livestreaming Board of Supervisors Meetings**

Rick summarized his discussions with other Township Managers about videotaping meetings, namely that it can lead to grandstanding by elected officials and residents alike and may make meetings more formal. Jon added that there may be ways to broadcast meetings on public access TV, but that using YouTube ensures that the Township has a much larger on demand audience.

Mr. Sinclair noted that there are ways to monetize YouTube videos.

Carmen made a motion that the Board video its meetings utilizing the YouTube livestreaming platform with close captioning and a disclaimer that the video shall not supersede or replace the meeting minutes as the official record of the meeting. David seconded. The motion passed 4-0.

### **Consider Execution of Land Development Plan and Escrow Agreement for the East Goshen Elementary School**

Mike made a motion that the Board of Supervisors sign the final land development record plans and the development agreements for the East Goshen Elementary School dated April 28, 2017 last revised April 9, 2018. Carmen seconded. The motion passed 4-0.

**Consider Resolution 2018-47 Order of Business**

Mike made a motion to adopt Resolution 2018-47 about the order of business at public meetings. David seconded the motion. The motion passed 4-0.

**Consider Renewal of District Court Lease**

Carmen made a motion to authorize the Chairman to execute Amendment #2 to the Lease Agreement between the County of Chester and East Goshen Township. David seconded.

Mr. Sinclair asked if the rent would increase. Jon explained that the rent would decrease as the rent no longer reflects the cost of the build out.

The motion passed 4-0.

**Consider Cornwallis Drive Emergency Access Agreement**

Carmen made a motion to provide compensation to Mrs. Schumaker in the amount of \$10,000 for the easement and authorize the Chairman to execute the trail easement. Mike seconded.

Mr. Sinclair asked if there had been any changes to the agreement since it was originally drafted. Rick stated that the dollar value had increased from \$5,000 to \$10,000.

The motion passed 4-0.

**Consider Goshen Fire Company Uses**

Marty tabled this item until June 5<sup>th</sup>.

**Consider Escrow Release for 943 and 934A Cornwallis Drive**

Carmen made a motion to release \$10,428.86 in escrow for 943 and 943A Cornwallis Drive to close out the account. Mike seconded the motion. The motion passed 4-0.

**Consider Locations in the Township for Which Liquor Licenses Can Be Issued**

Rick explained that the Liquor Control Board has exclusive jurisdiction over where liquor licenses can be granted. If the Township permits restaurants in a zoning district, it cannot prevent a restaurant from obtaining a license. Rick explained that East Goshen's liquor license quota, which is based on our population, is six, but he added that the County overall is currently over its quota.

Mr. Sinclair observed that a municipality can apply to increase its quota on the grounds of economic development. He added that the going rate for licenses in Chester County is between \$200,000 and \$400,000.

### **Consider Recommendation on Non-Permitted Construction Activities**

Mike raised concerns about the overtime costs of building inspectors driving around the Township on weekends looking for unpermitted construction and asked if the inspectors could earn comp time in lieu of overtime. Jon and Rick indicated that they would need to be paid overtime. Carmen stated that he is concerned about unlicensed construction during the weekends. He added that health and safety is his first priority, with financial considerations being secondary.

Mr. Buonanno stated that there were over 1,500 storm-related losses a couple of years ago and he suspects that not all repairs were permitted. Mr. Sinclair raised concerns about residents not being fined for undertaking construction without proper permits.

Rick stated that the Township can try this for six months and see how it goes.

Carmen made a motion to authorize the Director of Code Enforcement to have building inspectors work on selected weekends to look for non-permitted construction activity and provide monthly reports over the next six months. Mike seconded. The motion passed 4-0.

### **Any Other Matter**

David provided a summary of the "Table Top" training scenario that he participated in at the Chester County Emergency Training Center. He explained that he feels both better and worse about the potential dangers of a pipeline emergency. There were two scenarios presented, one of which was a rupture to the pipeline at Boot Road and Wilson Drive. David observed that Mike Holmes and Kevin Miller from the Township were also present, but that only one police officer was present.

Mr. Buonanno asked about sniffers and stoppers and what Sunoco will do in the case of an emergency. He added that pipeline operators shift liability for disasters onto local municipalities.

Lex Pavlo, 611 South Speakman Lane, stated that David should summarize what he learned for the next Township newsletter.

Luke Connell, 921 Vista Farms, raised concerns about development at the old Columbian Fathers/Perakis property. Marty suggested that he attend the Planning Commission meeting the following night where the Paoli Pike Zoning Overlay would be discussed.

### **Correspondence, Reports of Interest**

The Board acknowledged receipt of the following correspondence and reports of interest:

- May 4, 2018 Notification of Intent to apply for a DEP permit for the Paoli Pike Trail
- May 9, 2018 Letter from Senator Killion concerning Resolution 2017-173.

**Adjournment**

Marty announced that the Board would be meeting in Executive Session immediately after the meeting to discuss a legal matter.

There being no further business, Carmen motioned to adjourn the meeting at 9:20 pm. David seconded the motion. The motion passed 4-0.

Respectfully submitted,  
*Jon Altshul*  
*Recording Secretary*

Attachments: May 17, 2018 Treasurer's Report

May 17, 2018

**TREASURER'S REPORT  
2018 RECEIPTS AND BILLS**

**GENERAL FUND**

Real Estate Tax	\$38,638.89	Accounts Payable	\$450,247.87
Earned Income Tax	\$981,112.36	Electronic Pmts:	
Local Service Tax	\$65,379.05	Credit Card	\$0.00
Transfer Tax	\$94,686.62	Postage	\$0.00
General Fund Interest Earned	\$5,248.62	Debt Service	\$9,391.49
Total Other Revenue	\$212,224.65	Payroll	\$188,522.16
Total Receipts:	<b>\$1,397,290.19</b>	Total Expenditures:	<b>\$648,161.52</b>

**STATE LIQUID FUELS FUND**

Receipts	\$0.00		
Interest Earned	\$0.00		
Total State Liquid Fuels:	<b>\$0.00</b>	Expenditures:	<b>\$0.00</b>

**CAPITAL RESERVE FUND**

Receipts	\$10,382.00	Accounts Payable	\$22,995.90
Interest Earned	\$2,139.12	Credit Card	\$0.00
Total Sinking Fund:	<b>\$12,521.12</b>	Total Expenditures:	<b>\$22,995.90</b>

**TRANSPORTATION FUND**

Receipts	\$0.00		
Interest Earned	\$704.11		
Total Sinking Fund:	<b>\$704.11</b>	Expenditures:	<b>\$595.95</b>

**SEWER OPERATING FUND**

Receipts	\$343,094.22	Accounts Payable	\$298,415.41
Interest Earned	\$876.60	Debt Service	\$28,240.59
Total Sewer:	<b>\$343,970.82</b>	Credit Card	\$0.00
		Total Expenditures:	<b>\$326,656.00</b>

**REFUSE FUND**

Receipts	\$174,389.93		
Interest Earned	\$427.64		
Total Refuse:	<b>\$174,817.57</b>	Expenditures:	<b>\$81,755.26</b>

**BOND FUND**

Receipts	\$9,200.33	Accounts Payable	\$70,805.00
Interest Earned	\$0.00	Credit Card	\$0.00
Total Sewer Sinking Fund:	<b>\$9,200.33</b>	Total Expenditures:	<b>\$70,805.00</b>

**SEWER CAPITAL RESERVE FUND**

Receipts	\$0.00		
Interest Earned	\$872.60		
Total Sewer Sinking Fund:	<b>\$872.60</b>	Expenditures:	<b>\$15.00</b>

**OPERATING RESERVE FUND**

Receipts	\$0.00		
Interest Earned	\$723.49		
Total Operating Reserve Fund:	<b>\$723.49</b>	Expenditures:	<b>\$15.00</b>